

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

SENATE BILL 1217

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

FERNANDO R. MACIAS

AN ACT

RELATING TO ECONOMIC DEVELOPMENT; AMENDING THE DUTIES OF THE TECHNOLOGY ENTERPRISE DIVISION OF THE ECONOMIC DEVELOPMENT DEPARTMENT TO PROVIDE FOR CENTERS OF EXCELLENCE FOR RESEARCH AND TECHNOLOGY TRANSFER AND FOR REFERRAL SERVICES; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 9-15-16 NMSA 1978 (being Laws 1991, Chapter 21, Section 21) is amended to read:

"9-15-16. TECHNOLOGY ENTERPRISE DIVISION CREATED. -- The "technology enterprise division" is created as a division of the economic development department. The division shall:

A. enhance the business climate to encourage the start-up, relocation, development and growth of technology-based industry in New Mexico;

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
[bracketed material] = delete

1           B. promote an expanded, diversified technology-based  
2 economy, emphasizing areas that:

3                   (1) derive from the state's technological  
4 strengths;

5                   (2) provide a commercial advantage;

6                   (3) lend themselves to a distributed  
7 technology-based industry network; and

8                   (4) utilize imaginative state, federal and  
9 private partnerships; [~~and~~]

10           C. attain sufficient levels of human, financial and  
11 physical resources to support in-state industries and attract  
12 new industries to New Mexico; and

13           D. encourage the development of centers of  
14 excellence for research and technology transfer. "

15           Section 2. Section 9-15-17 NMSA 1978 (being Laws 1991,  
16 Chapter 21, Section 22) is amended to read:

17           "9-15-17. DIRECTOR--DUTIES.--The director of the  
18 technology enterprise division is responsible for the overall  
19 supervision of the division in accordance with the provisions of  
20 Section 9-15-16 NMSA 1978. In addition, the director shall:

21                   A. formulate and submit to the economic development  
22 commission a five-year state technology development plan;

23                   B. develop and be responsible for the operating and  
24 capital budgets of the division;

25                   C. develop agreements with federal research,

Underscored material = new  
[bracketed material] = delete

1 development, testing and evaluating organizations and  
2 universities to facilitate the transfer and commercialization of  
3 technology;

4 D. recommend to the secretary of economic  
5 development proposed projects and contracts in accordance with  
6 the policies, procedures and guidelines established by the  
7 economic development department;

8 E. subject to the approval of the secretary of  
9 economic development, apply for and accept any federal funds or  
10 grants and private donations;

11 F. develop requests for proposals in technology  
12 commercialization areas given priority by the economic  
13 development commission in the state's economic development and  
14 tourism plan; receive and refer with commentary to the secretary  
15 of economic development proposals submitted in response to  
16 requests for proposals; confer with research investigators to  
17 assist them when needed; monitor progress on state-funded  
18 research and development projects; maintain contact with  
19 research and development offices of the universities, federal  
20 laboratories and private research operations; and receive  
21 reports of individual projects;

22 G. prepare an annual report on:

23 (1) the status of the technology enterprise  
24 division;

25 (2) the status of ongoing research and

Underscored material = new  
[bracketed material] = delete

1 development projects;

2 (3) the results obtained from completed  
3 projects and the dissemination of those results; and

4 (4) other activities of the division;

5 H. maintain and update records on the status of all  
6 completed and ongoing projects;

7 I. request from each entity under contract with the  
8 division a detailed description of tasks and associated budgets  
9 for review and approval by the economic development commission;  
10 and

11 J. perform such other duties as are assigned to him  
12 by the secretary of economic development in order to further the  
13 purposes of Section [~~9-15-17~~] 9-15-16 NMSA 1978. "

14 Section 3. Section 9-15-19 NMSA 1978 (being Laws 1991,  
15 Chapter 21, Section 24) is amended to read:

16 "9-15-19. TECHNOLOGY ENTERPRISE FUND CREATED. --There is  
17 created in the state treasury the "technology enterprise fund".  
18 No money appropriated to this fund or accruing to it through  
19 cooperative research and technology transfer agreements, gifts,  
20 grants or bequests shall be transferred to another fund or  
21 encumbered or disbursed in any manner except for activities  
22 conducted pursuant to Sections 9-15-16 through [~~9-15-19~~] 9-15-20  
23 NMSA 1978. The fund shall not revert at the end of a fiscal  
24 year. Money appropriated to the research and development fund  
25 is appropriated to the technology enterprise fund; provided, any

. 117268. 1

Underscored material = new  
[bracketed material] = delete

1 existing agreement to be paid from funds appropriated to the  
2 research and development fund shall be paid from the technology  
3 enterprise fund. Disbursements from the fund shall be made only  
4 upon warrant drawn by the secretary of finance and  
5 administration pursuant to vouchers signed by the secretary of  
6 economic development or his designee for the purpose of paying  
7 the cost of activities conducted pursuant to Sections 9-15-16  
8 through [~~9-15-19~~] 9-15-20 NMSA 1978."

9 Section 4. A new Section 9-15-20 NMSA 1978 is enacted to  
10 read:

11 "9-15-20. [NEW MATERIAL] CENTERS OF EXCELLENCE FOR  
12 RESEARCH AND TECHNOLOGY TRANSFER--AWARD OF FUNDS--TECHNOLOGY  
13 TRANSFER AND TECHNICAL REFERRAL CLEARINGHOUSE. --

14 A. The technology enterprise division is authorized  
15 to award funds from the technology enterprise fund for the  
16 purpose of establishing centers of excellence for research and  
17 technology transfer. Awards of funds shall be made on a  
18 competitive basis and shall be based upon scientific or  
19 technological merit and subsequent potential for commercial  
20 development.

21 B. Centers of excellence for research and technology  
22 transfer shall primarily undertake ongoing basic research and  
23 applied research and development with a focus on long-run  
24 commercial development. The centers should build upon the  
25 strengths of the state's educational institutions, national

. 117268. 1

1 laboratories and private industry.

2 C. The technology enterprise division shall  
3 establish a clearinghouse to provide technological transfer and  
4 technical referral services and shall fund educational  
5 institutions to establish technical information databases and  
6 industrial liaison offices that are easily accessible by both  
7 public and private sector organizations. The services provided  
8 shall include:

9 (1) disseminating research and technical  
10 information;

11 (2) referring clients to researchers or  
12 laboratories for the purpose of testing and evaluating new  
13 products, processes and innovations;

14 (3) assisting persons developing innovations or  
15 new technology in locating enterprises or entrepreneurs that may  
16 be interested in applying innovations or new technologies; and

17 (4) providing managerial assistance to  
18 enterprises requesting such assistance, but particularly to  
19 small enterprises of special importance to the New Mexico  
20 economy.

21 D. The economic development department shall adopt  
22 and promulgate rules and regulations necessary to implement the  
23 provisions of this section. "

24 Section 5. APPROPRIATION. -- Two million dollars  
25 (\$2,000,000) is appropriated from the general fund to the

Underscored material = new  
[bracketed material] = delete

1 technology enterprise fund in fiscal year 1998 for the purpose  
2 of implementing the provisions of Section 9-15-20 NMSA 1978.  
3 Any unexpected or unencumbered balance remaining at the end of  
4 fiscal year 1998 shall not revert to the general fund.

5 - 7 -  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25